

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION AT AKRONSTEPHEN W. BYERLY,
Plaintiff,

CASE No. 1:19-CV-2882

vs.

JAMES L. DEWEESE, et al.,
Defendants,

FILED

FEB 14 2020

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELANDOBJECTION TO WAIVERS OF SUMMONS by DEFENDANTS
DEWEESE AND COUCH-PAGE by THE
PROSECUTING ATTORNEY OF Richland County, Ohio
AS A MATTER OF LAW.

PLAINTIFF, STEPHEN W. BYERLY, OBJECTS ENTIRELY TO THE SIGNED WAIVERS OF SUMMONS OF DEFENDANTS DEWEESE AND COUCH-PAGE (EXHIBITS 1, 2, and 3) AS THE WAIVERS WERE SIGNED BY RICHLAND COUNTY, ASSISTANT PROSECUTING ATTORNEY JONATHAN C. ELGIN. IT IS TO BE NOTED THAT NO DEFENDANT PERSONALLY WAIVED SERVICE OF SUMMONS. AS REQUIRED BY FED. R. CIV. P. RULE 4(2), THIS SIGNED WAIVER OF SERVICE OF SUMMONS SIGNED BY A PERSON NOT A PARTY OR OFFICIALLY REPRESENTING NAMED DEFENDANTS PERSONALLY IN A 42 U.S.C. 1985 ACTION, IS VOID AS A MATTER OF LAW FED. R. CIV. P. RULE 15(c). PLAINTIFF OBJECTS AS HE FILED A 42 U.S.C. 1985(2)(3) ACTION NOT A 1983 ACTION. NO COURT, STATE OR FEDERAL/GOVERNMENT OFFICER OR AGENT IS BEING SUED IN THEIR OFFICIAL CAPACITY. ACCORDING TO OHIO LAW, A COUNTY PROSECUTING ATTORNEY MAY PROSECUTE NOT DEFEND ALL COMPLAINTS, SUITS, AND CONTROVERSIES IN WHICH THE STATE BY LAW IS A PARTY. O.R.C. 309.08; 28 U.S.C. 1652. A UNPAID LAWYER CANNOT ZEALOUSLY DEFEND, PERSONALLY DEFEND PARTIES TO A 42 U.S.C. 1985. LANE v. RICHARDS (7th Cir. 1992), 957 F.2d, 363.

Any response from the county offices the Richland County, Ohio, Prosecutor's Office will be met with an amended complaint adding the county Attorney as a co-conspirator, for violating my civil right to the due process of law and fraud.

DEFENDANTS DEWEESE AND COUCH - PAGE HAVE until MARCH 3, 2020,
to submit a duly signed WAIVER OF SUMMONS OR AN ANSWER PUR-
SUANT to F.R.C.V.P. Rule 12 OR Rule 4 (d).

Respectfully submitted,
Stephen W. Byerly
MR. STEPHEN W. BYERLY, PROSE
A434-590
MARION CORR. INST.
P.O. BOX 57
960 MARION-WILLIAMSPORT RD.
MARION, OHIO 43301-0057

CERTIFICATE OF SERVICE

I, STEPHEN W. BYERLY, PLAINTIFF, do hereby CERTIFY THAT A TRUE
COPY OF THE ATTACHED OBJECTION + WAIVERS OF SUMMONS by
DEFENDANTS DEWEESE AND COUCH - PAGE by the PROSECUTING ATTORNEY
OF Richland County, OHIO, AS A MATTER OF LAW, WAS SENT TO THE
Richland County Prosecutor's Office, MR. JONATHAN C. ELGIN AT
38 South Park Street, Second Floor, Mansfield, OHIO 44902 by
First-Class, U.S. Mail, postage prepaid of February 10th 2020.

Stephen W. Byerly